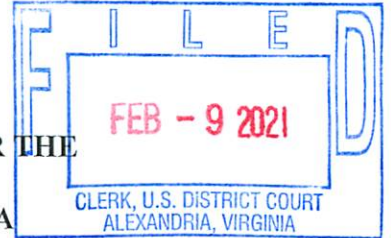


UNDER SEAL

IN THE UNITED STATES DISTRICT COURT FOR THE
FOR THE EASTERN DISTRICT OF VIRGINIA



Alexandria Division

United States of America

v.

DMITRIY OLEGOVICH MININ

Defendant.

Case No. 1:21-mj-27

UNDER SEAL

**AFFIDAVIT IN SUPPORT OF A COMPLAINT, ARREST WARRANT, AND
SEARCH WARRANT**

I, Michael T. Gruchacz, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent of the U.S. HSI, Homeland Security Investigations ("HSI") and am currently assigned to the Global Trade Investigations ("GTI") Group in Washington, DC. I have 21 years of law enforcement experience to include being employed as a Police Officer with the Washington DC Metropolitan Police Department and as a Special Agent with the United States Department of State. I have knowledge of the laws and regulations relating to the illegal exportation and importation of weapons, technology, and other controlled commodities. I am empowered by law to investigate and make arrests for violations of federal law, including the unlawful importation and exportation of merchandise and contraband into and out of the United States.

2. Based upon your Affiant's training, experience, and discussions with other federal agents related to the investigation of international import-related and National Firearms Act ("NFA") violations, this Affiant is aware that suppressors, also known as silencers, vary by design and appearance, but all, when properly installed, will silence, muffle or diminish, the report of a portable firearm. *See* 18 U.S.C. § 921(a)(24). Under federal law, a suppressor or silencer is a type of firearm. *See* 26 U.S.C. 5845(a)(7).

The making of a suppressor must be approved in advance by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). To make a silencer, an individual must file an ATF Form 1, which is an application to make a firearm, pay a \$200.00 USD tax, and comply with all other provisions of the law prior to making the firearm. *See* ATF Form 1 (*available at*: <https://www.atf.gov/file/11281/download>). (*last accessed*: October 6, 2020). Approval of Form 1 results in the registration of the firearm and any subsequent transfers must be approved in advanced by the ATF. ATF Form 6 is required to import firearms into the United States. *See* ATF Form 6 (*available at*: <https://www.atf.gov/firearms/docs/form/form-6-part-1-application-and-permit-importation-firearms-ammunition-and/download>) (*last accessed*: January 28, 2021).

3. Your Affiant is aware of devices and items that can be modified to act as suppressors for firearms. One such device is known as a “solvent trap” or “fuel filter.” The intended purpose of these devices is to trap and hold cleaning fluids and there should not be a hole or index mark in these items. A “solvent trap” or “oil filter” in and of itself may have a legitimate purpose of catching excess cleaning fluids and is not a silencer until modified. However, these devices can be manufactured with the intent of repurposing them as silencers. For example, the device may be sold with index markings to indicate where a hole should be drilled and/or the device may be sold with “spacers” which act as baffles that prevent the spreading of sound. A sound suppressor typically includes a metal tube with several interior baffles that form expansion chambers for which the gases expelled from the end of the firearm enter the expansion chambers and exit the suppressor. Under Title 18, United States Code, Section 921(a)(24), the “terms ‘firearm silencer’ and ‘firearm muffler’ mean any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part

intended only for use in such assembly or fabrication.”

4. The facts set forth in this Affidavit are based on information that I have obtained from my personal involvement in the investigation and from other law enforcement officers who have been involved in this investigation, on documents that I have reviewed, and on my training and experience.

5. This Affidavit is made in support of a criminal complaint and arrest warrant charging Dmitriy MININ (“MININ”) with violations of 18 U.S.C. § 545, smuggling goods into the United States; 26 U.S.C. § 5861(a, d, f, i, k), possession/manufacturing of unregistered firearms; 27 CFR 447.52, import restrictions applicable to certain countries (China); and 26 U.S.C. § 5844, illegal importation of a firearm. This Affidavit is also being submitted for the limited purpose of an application for a warrant to search 8052 Pantano Pl, Alexandria, VA 22309 (hereinafter TARGET RESIDENCE) identified below, and to seize evidence, contraband, and instrumentalities of criminal activity that may be found therein. Because this Affidavit is being submitted for these limited purposes, I have not set forth all of the information known to me concerning this investigation. Instead, I have set forth information that I believe to be sufficient to establish probable cause for this complaint and these warrants.

RELEVANT STATUTES

6. 18 U.S.C. § 545 states in part that “[w]hoever knowingly and willfully, with intent to defraud the United States, smuggles, or clandestinely introduces or attempts to smuggle or clandestinely introduce into the United States any merchandise which should have been invoiced, or makes out or passes, or attempts to pass, through the customhouse any false, forged, or fraudulent invoice, or other document or paper; or whoever fraudulently or knowingly imports or brings into the United States, any merchandise contrary to law, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise after importation, knowing the same to have been imported or brought into the United

States contrary to law shall be fined under this title or imprisoned not more than 20 years, or both.”

7. 26 U.S.C. § 5861(a) provides that it is unlawful to engage in business as a manufacturer or importer of, or dealer in, firearms without having paid the special (occupational) tax, (d) provides that it shall be unlawful for any person to receive or possess a firearm which is not registered to him in the National Firearms Registry and Transfer Record, (f) provides that it shall be unlawful for any person to make a firearm in violation of the provisions of this chapter, (i) provides that it shall be unlawful for any person to receive or possess a firearm which is not identified by a serial number as required by this chapter, and (k) provides that it shall be unlawful for any person to receive or possess a firearm which has been imported or brought into the United States in violation of Section 5844.

8. 26 U.S.C. § 5844 provides that no firearm shall be imported or brought into the United States or any territory under its control or jurisdiction unless the importer establishes, under regulations as may be prescribed by the Secretary of the Treasury, that the firearm to be imported or brought in is—
(1) being imported or brought in for the use of the United States or any department, independent establishment, or agency thereof or any State or possession or any political subdivision thereof; or
(2) being imported or brought in for scientific or research purposes; or
(3) being imported or brought in solely for testing or use as a model by a registered manufacturer or solely for use as a sample by a registered importer or registered dealer.

9. 27 CFR § 447.21 contains the U.S. Munitions Import List. Under subsection (d) of the U.S. Munitions Import List, category I—firearms, the following defense articles, designated pursuant to section 38(a) of the Arms Export Control Act, 22 U.S.C. § 2778(a), and E.O. 13637, are subject to controls: *(d) Firearms silencers and suppressors, including flash suppressors.*

10. 27 CFR § 447.52 lists import restrictions applicable to certain countries. Under

subsection (a), it is the policy of the United States to deny licenses and other approvals with respect to defense articles and defense services originating in certain countries or areas. This policy applies to countries or areas with respect to which the United States maintains an arms embargo, including China. It also applies when an import would not be in furtherance of world peace and the security and foreign policy of the United States.

DEFINITIONS

11. For the purpose of this Affidavit, the following terms are defined:

- a) CONTROLLED DELIVERY – The technique of allowing illicit or suspect goods to pass out of, through, or into the United States under supervision of an authorized law enforcement officer, with the goal of identifying persons involved in criminal activity.
- b) CUSTOMS DECLARATION – A hard copy or electronic form on which is “declared” or listed, the details of any goods that are being imported or exported to/from the United States, whether by means of commercial shipments or in-person. Mailing goods into or out of the United States also requires the sending party to complete a customs declaration form.
- c) FIREARM – The term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device (Title 18, United States Code, Section 921(a)(3)).
- d) FIREARM SILENCER or FIREARM MUFFLER – The terms “firearm silencer” and “firearm muffler” mean any device for silencing, muffling, or diminishing the report

of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication (Title 18, United States Code, Section 921(a)(24)). According to information received from the Bureau of Alcohol, Tobacco, Firearms & Explosives (“ATF”), legitimate solvent traps are devices attached to the muzzle of a firearm barrel designed to catch or “trap” dirty cleaning solvent pushed through the barrel from the chamber end and out through the muzzle. Solvent traps are intended to prevent solvent from dripping, spraying, or spattering when pushed out the muzzle end of a firearm barrel. **The front end-cap of a solvent trap/fuel filter must be solid and have no hole that will allow a projectile to pass through (including “pilot” holes that can be widened to allow a projectile to pass-through or marks indicating the location to drill such a hole).** Devices that have a hole in or indexing mark for a hole in the front end-cap are classified as a “firearm silencer” under the National Firearms Act (“NFA”). *See ATF Firearms & Ammunition Technology Division, Technical Bulletin 20-01 (Oct. 30, 2019).*

- e) SMUGGLING – Fraudulently or knowingly importing or bringing into the United States, any merchandise contrary to law, or receiving, concealing, buying, selling, or in any manner facilitating the transportation, concealment, or sale of such merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law (Title 18, United States Code, Section 545).

- f) MERCHANDISE and GOODS – Interchangeable terms both describing anything that can be imported or exported from the United States.
- g) EXTENDED BORDER SEARCH – This is an extension of a customs officer's authority to conduct warrantless searches of people, cargo, and means of transport, including mail, for unlawfully imported or exported goods at the borders of the United States. The extension pertains to searches away from the border where there is reasonable certainty a border was crossed, reasonable certainty that no change in the object of the search has occurred from the time a border was crossed and the time of the search, and reasonable suspicion criminal activity is occurring.

SUBJECT OF INVESTIGATION

12. MININ was born in Almaty Kazakhstan and is listed as a disabled veteran on his U.S. Passport application. MININ is believed to be a Former United States Marine. Between 2009 and 2012, MININ has been arrested several times in Virginia, New York, Vermont, Pennsylvania and Maryland for weapons violations, however they were either dismissed or plead to Misdemeanors. I conducted inquiries with the Bureau of Alcohol Tobacco and Firearms to determine if MININ ever applied for or obtained the proper tax stamps and documents allowing him to import, manufacture or obtain items that are otherwise prohibited under the National Firearms Act. MININ has not as of December 2, 2020.

PREVIOUS LEGAL PROCESS

13. On or about December 8, 2020, I obtained a search warrant for DMITRIY.MININ@GMAIL.COM (TARGET ACCOUNT 1) from The Honorable Magistrate Judge Michael Nachmanoff. Evidence found within TARGET ACCOUNT 1 produced probable cause as it relates to TARGET ACCOUNT 2 and this affidavit.

STATEMENT OF FACTS AND PROBABLE CAUSE

14. Since in and around October 2019, HSI has been investigating certain unlawful importations of firearms and related controlled components into the United States, specifically, those originating from sources in China and elsewhere. HSI and CBP began targeting known manufacturers and shippers of silencers and placing “holds” on the packages so that they could be detained and seized if/when encountered at a U.S. port of entry. According to the ATF, recently there has been an influx of counterfeit or non-regulated suppressors entering the United States via foreign sources. ATF has encountered these suppressors and partnered with HSI and Customs and Border Protection (“CBP”) to combat the flow of these suppressors into the United States. Since this operation has commenced, there have been over 12,000 of these devices seized at the U.S. Ports of Entry and during investigative controlled deliveries targeting individuals who received the items contrary to law.

15. Based on my training and experience, inline filters, fuel filters, solvent traps as well as other descriptions of devices coming from China are marketed as being used in vehicles as fuel filters as well as screwed onto the end of a barrel to “catch” cleaning solvents. During this investigation I have encountered several types of these devices that I believe are being converted into silencers. Monolithic core devices which consist of a one piece core surrounded by a metal sleeve, stacked baffle device, which has several metal pieces stacked inside of a tube that can be custom cut depending on the need of the user and K baffles, which are similar to stacked baffles but have a more cone shape baffle inside of the metal tube. A sound suppressor typically includes a metal tube with several interior baffles that form expansion chambers from which the gases expelled from the end of the firearm enter the expansion chambers and exit the suppressor. Based on analysis of previous seizures, I believe that a stacked baffle and K baffle silencer weighs approximately .13 KG-.18 KG and a monolithic silencer weighs

approximately .25 KG.

16. I was notified by HSI and CBP Targeting Investigators about two parcels that are destined for MININ, coming from China, being sent by suspect Chinese manufacturers who have been identified as sending Silencers manifested as Bicycle Tools, Fuel Filters and Solvent Traps. Parcel LY513362642CN and LY536593057CN were identified as being potential silencers. Parcel ending in 642 was being sent by Tan Xue Yuan and manifested as a bicycle seat weighing .304Kg. Parcel ending in 057 was sent by seller YBDAVID and manifested as a spiral tube weighing .358Kg.

17. I conducted research into parcels being sent by sender YBDAVID and found that 125 packages were sent from YBDAVID between November 9 and November 15, of 2020. Many of these packages were seized by law enforcement at various ports of entry into the United States and determined to have silencers in the packages. These packages are manifested as items like “spiral tube,” “car fuel filter,” and “fuel filter water separator.” The weights of the packages are consistent with the known silencer weights as described in paragraph 26 above.

18. A weapons purchase history through the state of Virginia for the past 12 months shows that MININ purchased an Aero Precision M4E1, serial number M4-0198816 on October 4, 2020. HSI DC GTI Agents interviewed Michael Padgett, owner of Virginia Firearms Company who recalled that MININ purchased the weapon at the “Nations Gun Show” and that item has an SBA3 pistol brace on it. I know from my training and experience investigating these types of silencer cases that individuals buying these foreign silencers often modify their weapons to have short barrels less than ten inches but purchase rifle stocks with arm braces that under the law could make them pistols rather than short barrel rifles.

PAYPAL AND EBAY EVIDENCE

19. On November 17, 2020, HSI DC obtained information from PayPal, Inc. regarding payments that MININ has made via his PayPal account. The email account linked to PayPal is TARGET ACCOUNT 1 and the linked phone number is 202-802-4124. This is also the same phone number and email account that MININ lists on his U.S. Passport application. The address linked to the account is 8052 Pantano Pl, Alexandria, VA 22309. MININ has two PayPal accounts that he is using to buy firearm components suspected of being used to manufacture and install silencers on his weapons. Account ending in 85111 was used between May 2020 and October 2020, to pay for purchases from Wish, Inc. and other Chinese companies. Examples of some of the items are Holsters, 1/2x28 muzzle breaks and slings. Account ending in 22633 was used between July 2020 and October 2020 to purchase muzzle adapters, optics, holsters and body armor carriers. Wish, Inc. is a known distributor of silencers coming from China.

20. On November 25, 2020, HSI DC GTI received information from eBay. According to eBay, MININ has an account with user id kz1slovak2dc3. Two email accounts are linked to his eBay profile. dmitriy2030@yahoo.com and TARGET ACCOUNT 1. Between January 2018 and November 2020, MININ has made numerous purchases related to firearms and the purchase of suspected silencers and body armor. On March 22, 2019, MININ purchased "EZTest Cocaine Purity Pure Drug Test Genuine Accurate Tester X 1 Test."

21. MININ has also purchased items such as "14 X 1 LH Solvent Trap Adapter Triple Thread -042," "Black Plumbing Fitting Adapter: NAPA 4003 Filter FLUSH FIT," "Pick a Size!, 1/2-28 to 3/4-16, 13/16-16, 3/4NPT Automotive Threaded Oil Filter Adapter017," "NEW Billet Aluminum FOR 4003 24003 Fuel Filter 1/2"-28 Turbo Air Filter." Open source research on the item names reveal that these are silencers and related components. MININ has also purchased tools for gunsmithing such

as a 21 pc Cobalt Drill Bit set used to drill metal objects. Other items he purchased are “1/2-28 Auto Oil Filter Thread Adapter,” “1/2-28 stainless threaded adapter and 1/2-28 Maglite D Cell threaded end caps.” These items are all consistent with silencer purchases and the fabrication of firearms to outfit them with silencers.

SEIZURE of Silencers on January 8, 2021

22. Based upon targeting of parcels destined for MININ, a package, LY543880345CN was targeted for inspection at the JFK International Mail Facility and U.S. Border. The package was opened by U.S. Customs Inspectors utilizing border search authority and found to contain two individual suppressors manifested as “Bicycle Support Frame.” The parcel was subsequently seized as contraband.

WISH.COM Evidence

23. I reviewed account information related to MININ. According to WISH.COM, MININ provided his shipping address as 8052 Pantano Pl, Alexandria, VA 22309 and TARGET ACCOUNT 2 as the contact related to emails. MININ made the following purchases from WISH.COM:

- A) May 19, 2020- 1, “11 piece Fuel Trap Solvent Filter Aluminum”
- B) June 25, 2020-1 Counterfeit Interpol Police Badge and 1 Counterfeit Home land Security , CIA and White House Police Badge.
- C) July 19, 2020-1 Counterfeit CIA Badge
- D) September 23, 2020-1 threaded adapter 1/2x28 and an 11 piece Fuel Trap Solvent Filter Aluminum.
- E) October 6, 2020-2 Napa Wix 4030 6inch screw. I know from my training and experience that this wording is used to disguise the fact that the item is a silencer.

I have confirmed through postal tracking methods that all of these parcels were delivered to MININ at his residence.

EVIDENCE OBTAINED FROM TARGET ACCOUNT 2 SUPPORTING
RESIDENTIAL SEARCH WARRANT

24. Based on emails reviewed from TARGET ACCOUNT 2, it appears MININ has been purchasing and manufacturing silencers since at least June of 2018. MININ is the subscriber of TARGET ACCOUNT 2 and listed the recovery email of this account as DMITRIY.MININ@GMAIL.COM. MININ has made several purchases that were confirmed delivered to the TARGET RESIDENCE between June 29, 2018 and December 20, 2020. The items listed below are not all encompassing.

- a- On June 29, 2018 MININ received an email stating that his order for WIX 24003 fuel filter is “confirmed.”
- b- On July 3, 2018 MININ received an email stating that his ½-28 adapter “has shipped.”
- c- On June 30, 2018 MININ received an email stating that a 4003 WIX fuel filter shipped and is estimated to be delivered “July 9” to the TARGET RESIDENCE.
- d- On October 17, 2020, MININ received a confirmation email stating that a solvent trap has “been shipped” to the TARGET ADDRESS.
- e- On October 23, 2020, MININ received an email stating that his order of “black fuel filter 10 inch solvent trap” is awaiting payment.
- f- On November 6, 2020, MININ received an email stating that his order of “fuel filter has been confirmed.”
- g- On November 11, 2020 MININ received a confirmation email for his order of three

“Solvent filters.”

h- On December 30, 2020, MININ received a confirmation email that a single core fuel filter was delivered to the TARGET ADDRESS.

25. I also believe that MININ is making attempts to manufacture police identification and potentially impersonate law enforcement.

26. On November 23-24, 2020, MININ purchased ID card holder with chain, 100 metal zip ties, 1 U.S. Secret Service badge, 100 tamper evident hologram stickers, 2000 global design hologram stickers, ID card holder lanyards.

27. On December 18, 2020, MININ purchased an FBI insignia badge.

REQUEST FOR SEALING

28. It is respectfully requested that this Court issue an order sealing, until MININ makes his first appearance, all papers submitted in support of this application for a complaint, arrest warrant, and search warrant, including this Affidavit, the applications, and the warrants themselves. Your Affiant submits that the requested sealing is necessary because the information and items to be disclosed and seized are relevant to an ongoing investigation into the criminal activities described herein. Based upon my training and experience, your Affiant has learned that criminals actively search the Internet for criminal complaints, arrest warrants, search warrants, and affidavits, and disseminate them to other criminals as they deem appropriate, such as by posting them publicly online. Premature disclosure of the contents of this Affidavit and related documents may compromise this ongoing investigation by, among other things, causing the subject to flee and the suspect to destroy or alter evidence.

CONCLUSION

29. Based on the following, I believe that there is probable cause for a complaint and arrest

warrant for MININ for crimes related to violations of 18 U.S.C. § 545, smuggling goods into the United States; 26 U.S.C. § 5861(a, d, f, i, k), possession/manufacturing of unregistered firearms; 27 CFR 447.52, import restrictions applicable to certain countries (China); and 26 U.S.C. § 5844, illegal importation of a firearm. Additionally, based on the same information, your Affiant believes there is probable cause to obtain a search warrant for the premises described in Attachment A for crimes related to violations of 18 U.S.C. § 545, smuggling goods into the United States; 26 U.S.C. § 5861(a, d, f, i, k), possession/manufacturing of unregistered firearms; 27 CFR 447.52, import restrictions applicable to certain countries (China); and 26 U.S.C. § 5844, illegal importation of a firearm. I believe that a search of the TARGET RESIDENCE will yield fruits and instrumentalities of a crime as described in Attachment B.

Respectfully submitted,



Special Agent Michael Gruchacz
Homeland Security Investigations
U.S. Department of Homeland Security

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on February 9, 2021.


_____/s/_____
John F. Anderson
United States Magistrate Judge

The Honorable John F. Anderson
United States Magistrate Judge

ATTACHMENT A

PREMISES TO BE SEARCHED

8052 Pantano Pl, Alexandria, VA 22309 is a two-story house with a wood facade in the front, red in color. 8052 is clearly posted on the chimney of the residence.



ATTACHMENT B

The items to be searched for and seized are as follows:

1. Evidence, fruits, and instrumentalities of violations of: 18 U.S.C. § 545, smuggling goods into the United States; 26 U.S.C. § 5861(a, d, f, i, k), possession/manufacturing of unregistered firearms; 27 CFR 447.52, import restrictions applicable to certain countries (China); and 26 U.S.C. § 5844, illegal importation of a firearm.
2. Any and all records including financial information, including tax returns and Internal Revenue Service filings, and any work papers related thereto; bank, credit or securities account statements, applications, deposit tickets, receipts, canceled checks, cashier checks, money orders, wire transfer records, debit/credit memos; financial ledgers, journals, investment records, real estate records, other records of assets; records of or related to contributions, grants or disbursements made or received, and/or allocations; loan records, financial statements, audit work papers, audit reports (or correspondence, transmittals or document related to any of the foregoing) related to the conspiracy.
3. Records, receipts, and document pertaining to travel between the United States and other countries and travel within the United States.
4. Records, receipts, and documents pertaining to the transfer of money to, from, and within the United States.
5. Any and all immigration documents, passports, visas, and documents that could be submitted in behalf of an application for a visa, travel documents, United States and foreign identification documents, identity cards issued by any foreign government, travel records including itineraries and receipt stubs, and airline tickets.
6. Diaries, organizers, day planners, appointment books, telephone message pads, address books and the like.
7. All identification documents reflecting the use of an alias, fictitious, or nominee name, including passports, Social Security cards, immigration papers (to include but not limited to green cards, work permits, visa) driver's license (domestic or foreign), and state identification cards (domestic or foreign).
8. All electronic storage devices and disks, input/output peripheral devices, related software, documentation, and data security devices (including passwords) necessary to ensure the reliable analysis and retrieval of the foregoing electronic and tangible objects by a qualified expert, including any and all cellular telephones.

9. Computers and computer hardware, meaning any and all computer equipment including any electronic, magnetic, optical, or similar computer impulses or data, network equipment and peripherals, the software to operate them, and any data processing hardware.

10. Any and all information and/or data stored in the form of magnetic, digital, or electronic coding on computer media or on media capable of being read by a computer or with the aid of computer related equipment. This media includes but is not limited to floppy diskettes, fixed hard disks, removable hard disk cartridges, tapes, laser disks, videocassettes, and any other media, which is capable of storing magnetic coding.

11. Any and all electronic devices which are capable of analyzing, creating, displaying, converting, or transmitting electronic or magnetic computer impulses or data. These devices include but are not limited to computers, computer components, computer peripherals, word processing equipment, modems, monitors, printers, plotters, encryption circuit boards, optical scanners, external hard drives, and other computer related electronic devices.

A) In my training and experience, some cell phone owners “lock” their devices, preventing others from accessing their mobile devices without entering a password, PIN number, pattern lock code, biometrics or other method. I know that accessing “locked” mobile devices can be difficult without the correct password, pattern lock or biometric information. If the items seized are locked with biometric features, such as fingerprints or facial recognition, I believe it may be necessary to place mobile devices on the fingerprints or in front of the facial features of any occupants present in the TARGET RESIDENCE in order to unlock the devices.

B) In my training and experience, an individual who is in possession of a device or has the device among his or her belongings at the time the device is found is likely a user of the device. However, in my training and experience, that person may not be the only user of the device whose biometric features are among those that will unlock the device, and it is also possible that the person in whose possession the device is found is not actually a user of that device at all. Furthermore, in my training and experience, I know that in some cases it may not be possible to know with certainty who is the user of a given device, such as if the device is found in a common area of a premises without any identifying information on the exterior of the device. Thus, it will likely be necessary for law enforcement to have the ability to require any occupant of the TARGET RESIDENCE to press their finger(s) against the sensor of any locked device(s) found during the search of the TARGET RESIDENCE in order to attempt to identify the device’s user(s) and unlock the device(s) via biometric features.

12. Any and all instructions or programs stored in the form of electronic or magnetic media, which are capable of being interpreted by a computer, or related components. The items to be seized could include but would not be limited to operating systems, application software, utility programs, compilers, interpreters, and any other programs or software used to communicate with computer programs or software used to communicate with computer hardware or peripherals either directly or indirectly via telephone lines, DSL lines, cable lines, radio or other means of transmission.

13. Any and all written or printed material which provides instructions or examples concerning the operation of a computer system, computer software, and/or any related device.

14. Any and all firearms, firearms components, silencers, suppressors, bills of sale related to firearms and components and any and all paperwork related to the purchase, transfer, mailing or otherwise of firearms.

ATTACHMENT C

PHOTOS OF SEIZED SILENCERS





